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SANITARY LEGISLATION.

STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

VIRGINIA.

Births and Deaths—Registration of. (Act approved Mar. 12, 1912.)

1. *Be it enacted by the General Assembly of Virginia*, That the State board of health shall have charge of the registration of births and deaths, shall prepare the necessary instructions, forms, and blanks for obtaining and preserving such records, and shall insure the faithful registration of the same in each local registration district as constituted in section 3 of this act, and in the central bureau of vital statistics at the capital of the State. The said board shall be charged with the uniform and thorough enforcement of the law throughout the State, and shall from time to time promulgate any additional forms and amendments that may be necessary for this purpose.

2. That the health commissioner shall be State registrar of vital statistics, and shall have general supervisions over the central bureau of vital statistics, which is hereby authorized to be established by said board. The State board of health shall provide suitable apartments for the bureau of vital statistics in the State capitol at Richmond, which shall be properly equipped with fireproof vault and filing cases for the permanent and safe preservation of all records made and returned under this act.

3. That for the purposes of this act the State shall be divided into registration districts, as follows: Every city, town, and magisterial district shall constitute a registration district: *Provided*, That the State registrar may combine two or more registration districts into one registration district.

4. That in cities and towns the principal executive officer of the local board of health shall be the local registrar of vital statistics, and that in each magisterial district each justice of the peace shall be a local registrar of vital statistics for that portion of the district which the State registrar shall designate. Any local registrar who fails or neglects to discharge efficiently the duties of his office as laid down in this act, or who fails to make prompt and complete returns of births and deaths, as required thereby, shall be forthwith removed from his office of registrar by the State board of health, and his successor appointed, in addition to any other penalties that may be imposed under other sections of this act for failure or neglect to perform his duty.

Each local registrar shall, immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall be to act in his stead in case of absence, illness, or disability, who shall in writing accept such appointment, and who shall be subject to all rules and regulations governing local registrars. And when it may appear necessary for the convenience of the people in any magisterial district, the local registrar shall, upon the request of the State registrar, appoint one or more suitable persons to act as subregistrar, who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the district as may be designated; and each subregistrar shall note, over his signature, the date on which each certifi-

cate was filed, and shall forward all certificates to the local registrar of the district within ten days, and in all cases before the third day of the following month: *Provided*, That all subregistrars shall be subject to the supervision and control of the State registrar, and may be by him removed for neglect or failure to perform their duties in accordance with the provisions of this act or the rules and regulations of the State registrar, and they shall be liable to the same penalties for neglect of duties as the local registrar.

5. That the body of any person whose death occurs in the State shall not be interred, deposited in a vault or tomb, cremated or otherwise disposed of, or removed from or into any registration district or be held pending further disposition more than seventy-two hours after death, until a permit for burial, removal, or other disposition thereof shall have been properly issued by the local registrar (or his deputy) of the registration district in which the death occurred.

Provided, that in sparsely settled districts, or when it is impracticable to file a death certificate and obtain a burial or removal permit, a body may be buried or removed from such district without a permit, but a certificate of death shall be filed with the registrar within ten days, such sparsely settled districts to be designated by the secretary of the county board of health.

No such burial or removal permit shall be issued by any registrar until a complete and satisfactory certificate of death has been filed with him as hereinafter provided, except as above set forth; that when a dead body is brought into the State for burial, the transit permit which accompanies such body shall be filed with the local registrar of the district where burial or other disposition of which body takes place; and the registrar shall note date and place of burial on such permit, and forward same to the State registrar. No fee shall be required for the issue of burial or removal permits in this State. In incorporated cities certificates of death shall be obtained and burial or removal permits issued according to the ordinances of such city.

6. That stillborn children and those dead at birth shall be registered as births and also as deaths, and a certificate of both the birth and death shall be filed with the local registrar, in the usual form and manner, the certificate of birth to contain, in place of the name of the child, the word "stillbirth." The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterine gestation, in months, if known; and a burial or removal permit in the usual form shall be required. Midwives shall not sign certificates of death for stillborn children; but such cases, and stillbirths occurring without attendance of either physician or midwife, shall be treated as deaths without medical attendance, as provided for in section eight of this act.

7. That the certificate of death shall be of the United States standard form as approved by the Bureau of Census, and shall contain the following items:

(1) Place of death, including State, county, township, city, the ward, street and house number. If in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given.

(2) Full name of decedent. If an unnamed child, the surname preceded by "unnamed."

(3) Sex.

(4) Color or race, as white, black (negro or negro descent), Italian, Chinese, Japanese, or other.

(5) Conjugal condition, as single, married, widowed, or divorced.

(6) Date of birth, including the year, month, and day.

(7) Age, in years, months, and days. If less than one day, the hours and minutes.

(8) Occupations to be reported of any person who had any remunerative employment: Women as well as men, stating (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).

(9) Birthplace; State or foreign country.

(10) Name of father.

(11) Birthplace of father; State or foreign country.

(12) Maiden name of mother.

(13) Birthplace of mother; State or foreign country.

(14) Name and address of informant.

(15) Official signature of registrar, with the date when certificate was filed, and registered number.

(16) Date of death, year, month, and day.

(17) Statement of medical attendance on decedent, fact and time of death, time last seen alive, and the cause of death, with contributory cause (secondary) or complication, if any, and duration of each, and if attributed to dangerous or insanitary conditions of employment; signature and address of physician or official making the medical certificate.

(18) Length of residence (for hospitals, institutions, transients, or recent residents) at place of death or in the State.

(19) Place of burial or removal; date of burial.

(20) Signature and address of undertaker.

The personal and statistical particulars (items 1 to 13) shall give the name and address of the informant, who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. And he shall further state cause of death, so as to show the course of the disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause), and the contributory (secondary) cause, if any, and the duration of each. Indefinite and unsatisfactory terms, indicating only symptoms of disease or conditions resulting from disease, will not be held sufficient for issuing a burial or removal permit: and any certificate containing such terms as defined by the State registrar shall be returned to the physician for correction and more definite statement. Causes of death, which may be the result of either disease or violence, shall be carefully defined: and if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, homicidal. And in deaths in hospitals, institutions, or of nonresidents, the physician shall furnish the information required under this head (item 18), and may state where, in his opinion, the disease was contracted.

8. That in case of death occurring without medical attendance, it shall be the duty of the undertaker or other person acting as such to notify the local registrar of such death, and when so notified the registrar shall inform the nearest member of the county board of health and refer the case to him for immediate investigation and certification, prior to issuing the permit: *Provided*, That if such member of the county board of health does not within twenty-four hours certify such death, and in such cases only, the registrar is authorized to make the certificate and return from the statement of relatives or other persons having adequate knowledge of the facts: *Provided further*, That if the death is caused by unlawful or suspicious means, the registrar shall then refer the case to the coroner for his investigation and certification. And any coroner whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for burial permits, shall state in his certificate the name of the disease causing death, or, if from external causes, (1) the means of death;

(2) whether (probably) accidental, suicidal, or homicidal; and shall in either case furnish such information as may be required by the State registrar in order properly to classify the death.

9. The undertaker, or person acting as undertaker, shall be responsible for obtaining and filing the certificate of death with the local registrar of the district in which the death occurs, and for securing a burial or removal permit, prior to any disposition of the body, except as otherwise provided in this act. He shall obtain the personal and statistical particulars required from the person best qualified to supply them, giving the name and address of his informant. He shall then present the certificate to the attendant physician, if any, or to the health officer or coroner, as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record as specified in sections seven and eight. And he shall then state the facts required relative to the date and place of burial, over his signature and with his address, and present the completed certificate to the local registrar in order to obtain a permit for burial, removal, or other disposition of the body.

The undertaker shall deliver the burial permit to the sexton, or person in charge of the place of burial, before interring or otherwise disposing of the body; or he shall dispose of the transit permit as provided by law for the transportation of corpses in this State when shipped by a transportation company; said permit to accompany the corpse to its desired destination, and if the burial shall take place within the State of Virginia, the removal permit shall be delivered to the sexton or other person in charge of the place of burial.

10. That if the interment or other disposition of the body is to be made within the State, the wording of the burial permit may be limited to a statement by the registrar, and over his signature, that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove, or otherwise dispose of the deceased, stating the name, age, sex, cause of death, and other necessary details, upon the form prescribed by the State registrar.

11. And each sexton or person in charge of any burial ground shall indorse upon the permit the date of interment, over his signature, and shall return all permits so indorsed to the local registrar of his district within ten days from the date of interment, or within the time fixed by the local board of health. Every sexton of a public cemetery shall keep a record of all interments made in the premises under his charge, stating the name of the deceased person, place of death, date of burial, and name and address of the undertaker or person acting as such.

12. That all births that occur in the State shall be immediately registered in the districts in which they occur, as hereinafter provided.

13. That it shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all the particulars required by this act, with the local registrar of the district in which the birth occurs, within ten days after date of birth.

And if there be no attending physician or midwife, then it shall be the duty of the father or mother of the child, householder, or owner of the premises, manager or superintendent of public or private institution in which the birth occurred, to notify the local registrar, within ten days after birth, of the fact that the birth had occurred. It shall then be the duty of the local registrar to secure the necessary information and signature to make a proper certificate of birth; provided, that in cities the certificate of birth shall be filed at a less interval than ten days after birth, if so required by the municipal ordinance (or regulations) now in force, or that may hereafter be enacted.

14. That the certificate of birth shall contain the following items:

(1) Place of birth, including State, county, magisterial district, town, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given, instead of street and house number.

(2) Full name of child. If the child dies without a name, before the certificate is filed, enter the words "died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by supplemental report, as hereinafter provided.

(3) Sex of child.

(4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural birth, giving number of child, in order of birth.

(5) Whether legitimate or illegitimate.

(6) Full name of father, except for illegitimate children.

(7) Residence of father.

(8) Color or race of father.

(9) Birthplace of father; State or foreign country.

(10) Age of father at last birthday, in years.

(11) Occupation of father.

(12) Maiden name of mother.

(13) Residence of mother.

(14) Color or race of mother.

(15) Birthplace of mother; State or foreign country.

(16) Age of mother at last birthday, in years.

(17) Occupation of mother.

(18) Number of child of this mother, and number of children of this mother now living.

(19) Born at full term?

(20) The certificate of attending physician or midwife as to attendance at birth, including statement of year, month, day, and hour of birth, and whether the child was alive or dead at birth. This certificate shall be signed by the attending physician or midwife, with date of signature and address; if there is no physician or midwife in attendance, then the father or mother of the child, household or owner of the premises, or manager or superintendent of public or private institution, or other competent person, whose duty it shall be to notify the local registrar of such birth, as required by section thirteen of this act.

(21) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

All certificates, either of birth or death, shall be written legibly, in unfading black ink, and no certificate shall be held to be complete and correct that does not supply all the items of information called for herein, or satisfactorily account for their omission.

15. That when any certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed, and returned to the local registrar as soon as the child shall have been named.

16. That all superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of disease, confinement, or are committed by process of law, are hereby required to make a record of all of the personal and statistical particulars relative to the inmates in their institutions at the date of the approval of this act, that are required in the forms of the certificate provided for by this act, as directed by the State registrar; and hereafter such records shall be, by them, made for all future inmates at the time of their admission. And in case of persons admitted or committed for medical treatment of disease, the physician in charge shall specify for entry in the record the nature of the disease, and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from

the individual himself, if it is practicable to do so; and when they can not be obtained, they shall be secured in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

17. That the State registrar shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purpose of this act; and shall prepare and issue such detail instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. And no other blanks shall be used than those supplied by the State registrar.

He shall carefully examine these certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory. And all physicians, midwives, informants, or undertakers, and all other persons having knowledge of the facts, are hereby required to furnish such information as they may possess regarding any birth or death, upon demand of the State registrar, in person, by mail, or through the local registrar.

He shall further arrange, bind, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; the cards to show the name of child or deceased, place and date of birth or death, number of certificate, and the volume in which it is contained. He shall inform all registrars what diseases are to be considered as infectious, contagious, or communicable or dangerous to the public health, as decided by the State board of health, in order that when death occurs from such diseases proper precautions may be taken to prevent the spreading of dangerous diseases.

18. That it shall be the duty of the local registrars to supply blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of birth or death when presented for record, to see that it has been made out in accordance with the provisions of this act, and the instructions of the State registrar, and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and to withhold issuing the burial or removal permit until they are corrected or satisfactorily explained. If the certificate of death is executed as herein provided, he shall then issue a burial or removal permit; provided, that in case the death occurred from some disease that is held by the State board of health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be granted by the registrar, except under such conditions as may be prescribed by law. If a certificate of birth is incomplete, he shall immediately notify the informant, and require him to supply the missing items if they can be obtained.

He shall then number consecutively the certificates of birth and death, in two separate series, giving dates of each birth and death, beginning with the number one for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office.

He shall also make a complete and accurate copy of each birth and death certificate registered by him in a record book, supplied by the State registrar, and the local registrar of every district located in any county shall, within fifteen days after the end of each calendar year, transmit such record book to the county clerk's office of his county and shall take a receipt from the clerk therefor, which receipt shall be transmitted to the State registrar. Said record book shall be preserved by the clerk as a permanent record.

And the local registrar shall, on the tenth day of each month, transmit to the State registrar all original certificates, registered by him, during the preceding month. And if no births or deaths occur in any month, he shall, on the tenth day of the following month, report that fact to the State registrar on a card provided for this purpose.

19. That each local registrar shall be paid the sum of twenty-five cents for each birth certificate and each death certificate properly made out and registered with him, correctly recorded and promptly returned by him to the State registrar, as required by this act, and in case no births or deaths were registered during any month the local registrar shall be entitled to be paid the sum of twenty-five cents for a report to that effect, but only if properly made in accordance with this act.

All amounts payable to a registrar under the provisions of this section shall be paid by the treasurer of the city, town, or county in which the registration district is located, upon certification by the State registrar. And the State registrar shall annually certify to the treasurers of the several cities, towns, and counties the number of births and deaths properly registered, with the names of the local registrars and the amounts due each at the rate fixed herein; *Provided*, That the council of any city may by ordinance, in lieu of fees, provide for the compensation of the local registrar for such city by salary; *Provided further*, That the State registrar shall make no certification of fees due until a receipt from the county clerk for the record books of the year shall have been received by him from the local registrar; *And provided further*, That the fees or salaries now paid the principal executive officer of the local board of health of any city or town, who shall become the local registrar of such city or town under the provisions of this act, shall be in lieu of all compensation or fees as herein provided.

20. That the State registrar shall, upon request, furnish any applicant a certified copy of the record of any birth or death registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of fifty cents to be paid by the applicant, and any such copy of the record of a birth or death, when properly certified by the State registrar to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the State registrar shall be entitled to a fee of fifty cents for each hour or fractional part of an hour of time of search, to be paid by the applicant. And the State registrar shall keep a true and correct account of all fees by him received under these provisions and turn same over to the State treasurer.

21. That any physician who was in medical attendance upon any deceased person at the time of death who shall wilfully neglect or refuse to make out and deliver to the undertaker, sexton, or other person in charge of the interment, removal, or other disposition of the body, upon request, the medical certificate of the cause of death, hereinbefore provided for, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five dollars nor more than fifty dollars. And if any physician shall knowingly make a false certification of the cause of death, in any case, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than fifty dollars nor more than two hundred dollars.

Any physician or midwife in attendance upon a case of confinement, or any other person charged with responsibility for reporting births, in the order named in section thirteen of this act, who shall wilfully neglect or refuse to file a proper certificate of birth with the local registrar, within the time required by this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one dollar nor more than ten dollars.

And any undertaker, sexton or other person acting as undertaker, who shall inter, remove or otherwise dispose of the body of a deceased person, without having received a burial or removal permit as herein provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one dollar nor more than ten dollars.

And any registrar, deputy registrar or subregistrar who shall wilfully neglect or fail to enforce the provisions of this act in his district, or who shall wilfully neglect or refuse to perform any of the duties imposed upon him by this act, or by the in-

structions and directions of the State registrar, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one dollar nor more than ten dollars.

And any person who shall wilfully alter any certificate of birth or death, or the copy of any certificate of birth or death, on file in the office of the local or State registrar, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail not exceeding sixty days, or suffer both fine and imprisonment, in the discretion of the court.

And any other person or persons who shall wilfully violate any of the provisions of this act, or who shall wilfully neglect or refuse to perform any duties imposed upon them by the provisions of this act, or shall furnish false information to a physician, undertaker, midwife, or informant, for the purpose of making incorrect certification of births or deaths, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five dollars nor more than one hundred dollars.

22. That each local registrar is hereby charged with the strict and thorough enforcement of the provisions of this act in his registration district, under the supervision and direction of the State registrar. And he shall make an immediate report to the State registrar of any violation of this law coming to his notice, by observation or upon complaint of any person, or otherwise.

The State registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and with supervisory power over local registrars, to the end that all its requirements shall be uniformly complied with. He shall have authority to investigate cases of irregularly or violation of law personally, or by an accredited representative, and all registrars shall aid him, upon request, in such investigations. When he shall deem it necessary, he shall report cases of violation of any of the provisions of this act to the Commonwealth's attorney of the county, with a statement of the acts and circumstances; and when any such case is reported to him by the State registrar, the Commonwealth's attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person responsible for the alleged violation of law.

23. The State superintendent of public printing shall supply the State board of health with all blanks and forms necessary for the execution of this act.

24. That for carrying out the provisions of this act and to provide the necessary clerical assistance, postage, and other expenses, there shall be expended out of the general fund appropriated to the State board of health so much thereof as said board of health may deem necessary, not exceeding the sum of five thousand dollars.